

REFERENCE TITLE: government transparency; political subdivisions

State of Arizona  
House of Representatives  
Forty-ninth Legislature  
First Regular Session  
2009

## **HB 2615**

Introduced by  
Representatives Montenegro, Gowan, Stevens: Goodale

AN ACT

AMENDING SECTION 41-725, ARIZONA REVISED STATUTES; RELATING TO THE DATABASE OF RECEIPTS AND EXPENDITURES OF GOVERNMENT MONIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2     Section 1. Section 41-725, Arizona Revised Statutes, is amended to  
3 read:

4       41-725. Comprehensive database of receipts and expenditures of  
5       state and local monies

6       A. On or before January 1, 2011, the department shall establish and  
7 maintain an official internet website that is electronically searchable by  
8 the public at no cost and that contains a comprehensive database of receipts  
9 and expenditures of state **AND LOCAL** monies.

10      B. The department must present information in the database in a manner  
11 that is intuitive to members of the general public, including graphical  
12 representations. The database must allow users to:

13       1. Search and aggregate payments by individual budget units and  
14 programs **OF ALL LEVELS OF STATE AND LOCAL GOVERNMENTS**.

15       2. Search and aggregate payments by individual vendors, including the  
16 total amount of state funding awarded by all **STATE AND LOCAL GOVERNMENT**  
17 budget units to individual vendors.

18       3. Download information yielded by a search of the database.

19       C. The database shall include the following information:

20       1. Annual receipts of revenues, including:

21           (a) Receipts or deposits by each state **AND LOCAL** budget unit into  
22 funds established in the state treasury.

23           (b) Taxes.

24           (c) Earnings by each **STATE AND LOCAL** budget unit, including amounts  
25 collected for merchandise sold, services performed and licenses,  
26 certifications and permits issued.

27           (d) Revenue from the use of publicly owned money or property,  
28 including leases and licenses.

29           (e) Gifts, donations and grants received, including amounts received  
30 from the federal government.

31           (f) Any other type of public revenue, however denominated or derived,  
32 deposited into the state **OR LOCAL** treasury.

33       2. Annual expenditures and disbursements of state **AND LOCAL** revenues  
34 by each state **AND LOCAL** budget unit from funds established in the state **AND**  
35 **LOCAL** treasury, as applicable, including:

36           (a) Bond payments, debt service and redemption charges and fees.

37           (b) Contractual services and cooperative agreements.

38           (c) Commodities.

39           (d) Capital outlay.

40           (e) Revenue sharing and other aid to other levels of government,  
41 including tribal governments.

42           (f) Any other expenditure or disbursement of state **OR LOCAL** revenue  
43 from the state **OR LOCAL** treasury, however denominated or structured.

44       D. Expenditure data shall list:

45       1. The manner of payment, including check or warrant or credit, debit  
46 or other purchase card.

1           2. The funding source, including categorical codes and the state **OR**  
2 **LOCAL** accounts the expenditure is appropriated from.

3           3. A standardized descriptive title of the type and purpose of the  
4 transaction.

5           4. The date and amount of each payment.

6           5. The state **OR LOCAL** agency or budget unit making the payment.

7           6. The name of the person or entity receiving the payment, including  
8 to the extent practical a parent entity of the recipient if the recipient is  
9 owned by another entity.

10          7. The primary location of performance under the contract, including  
11 the county, city or town and legislative district.

12          E. The database shall not include:

13          1. Tax payment or refund data that include confidential taxpayer  
14 information.

15          2. Data relating to payments of state assistance to individual  
16 recipients.

17          3. Payees' addresses or telephone numbers, but the department may  
18 allow public access in the database to information identifying the county in  
19 which the payee is located.

20          4. Work product in anticipation of litigation or information subject  
21 to attorney-client privilege.

22          5. Any other information that is designated by law as confidential or  
23 preapproved as confidential by the department pursuant to rule. The  
24 department and any officer or employee of the department:

25           (a) May rely on a determination made by a budget unit regarding  
26 confidentiality of information relating to the budget unit's expenditures.

27           (b) Are immune from civil liability for posting confidential  
28 information under this section if the posting is in reliance on the budget  
29 unit's determination relating to confidentiality.

30          F. Each **STATE AND LOCAL** budget unit shall cooperate with the  
31 department as necessary to implement and administer this section. Each  
32 budget unit shall provide to the department any additional data in a manner  
33 and schedule prescribed by the department that are required to be included in  
34 the database. The database shall be updated within thirty days after the end  
35 of each fiscal year and may be updated as new data become available. The  
36 data shall be retained in the database for at least ten full fiscal years.

37          G. The governor, secretary of state, state treasurer and legislature  
38 shall include a link to the database under this section in their individual  
39 official websites. Each budget unit that maintains a generally accessible  
40 internet website, or for which a generally accessible website is maintained,  
41 shall include a link on that website to the database under this section.

42          H. FOR THE PURPOSES OF THIS SECTION, "LOCAL GOVERNMENT" MEANS ANY  
43 POLITICAL SUBDIVISION OF THIS STATE, INCLUDING COUNTY, CITY, TOWN, COMMUNITY  
44 COLLEGE DISTRICT, SCHOOL DISTRICT AND ANY OTHER SPECIAL TAXING DISTRICT.